UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/259,620	02/26/1999	JAMES Q. MI	ITL.0160US (P6668)	5503

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EXAMINER
CALLAHAN, PAUL E

ART UNIT	PAPER NUMBER
2437	

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02/03/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/259,620	MI ET AL.
	Examiner	Art Unit	
	PAUL CALLAHAN	2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>24 November 2008</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>39-52</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>39-50</u> is/are rejected.

7) ☒ Claim(s) <u>51, 52</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11-24-

2008 has been entered.

2.   Claims 39-52 are pending and have been examined.

Response to Arguments

3.   Applicant's arguments with respect to claims 39-52 have been considered but are

moot in view of the new ground(s) of rejection.

Specification

4.   Claims 51 and 52 are objected to because of the following informalities: The

claims are dependent from cancelled parent claims. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 39, 41-43, 45-47, 49, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Claus et al, US 5,120,939, England, US 6,144,991, and Duda, US 5,708,710.

As for Claims 39 and 42, Claus teaches a method comprising: receiving, over a global computer network (fig. 6), a request from a first computer system, remote from a second, coupled to the global computer network, for a second computer system coupled to the global computer network to provide an identification of the second computer system (fig. 1, step 3, item 700); the second computer system then provides a hash value to the first computer system (fig. 2 step 4, element 563), the hash value being generated by encryption of a key associated with a first computer system with an identifier that identifies a second computer system (fig. 2, step 4, element 563). Claus teaches notifying the user of the second computer system of a request to identify the second computer system (, col. 10 lines 35-50, col. 12 lines 5-28). Claus fails to explicitly teach providing a visual interface on the second computer system to visually provide information to a user of the second computer system. England does teach the provision of a visual interface on a second computer system, prompted by a request sent by a first computer system, where a user of the second system is prompted by a request from a first system to approve or deny a request (fig. 8 element 802, col. 12

lines 15-27). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Claus. It would have been desirable to do so as administrator-controlled response to network requests allows for greater security in authentication protocols. The combination of Claus and England fails to explicitly teach the step wherein the request for identification sent from the first to the second computer system is unsolicited. However Duda does teach the step wherein an such an unsolicited request in the form of an unsolicited challenge message is sent from a first to a second computer system (Fig. 2 element 202, col. 4 lines 30-65, col. 5 lines 30-47, 50-55). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this feature of Duda into the system of Claus and England. It would have been obvious to do so since this would allow for a more flexible network authentication architecture.

As for Claim 41, Claus (fig. 6) teaches a networked environment in which two computers communicate via a public switched network and therefore the use of URL's is taught. Since the only information shared between the two computers is E_2, the key necessarily indicates a web address.

As for Claims 43, 45 and 46, these Claims represent the computer program product embodied in a memory medium that when read out, cause the first and second computer systems to carry out the method of Claims 39, 41 and 42. Therefore Claims 43, 45, and 46 are rejected on the same basis as are Claims 39, 41 and 42.

As for Claims 47 and 50, Claus teaches a method comprising: receiving, over a global computer network (fig. 6), a request from a second computer system, remote from a first, coupled to the global computer network for the first computer system coupled to the global computer network to provide an identification of the first computer system (fig. 1, step 3, item 700); the first computer system then provides a hash value to the second computer system (fig. 2 step 4, element 563), the hash value being generated by encryption of a key associated with a second computer system with an identifier that identifies a first computer system (fig. 2, step 4, element 563). Claus fails to explicitly teach, in response to a request: providing a visual interface on the first computer system to notify a user of the first computer of the request and prompting the user to allow or deny the request. England does teach the use of such a visual interface on a first system wherein a user of the first system is prompted by a request from a second system to approve or deny a request (fig. 8 element 802, col. 12 lines 15-27). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Claus. It would have been desirable to do so as administrator-controlled response to network requests allows for greater security in authentication protocols. The combination of Claus and England fails to explicitly teach the step wherein the request for identification sent from the first to the second computer system is unsolicited. However Duda does teach the step wherein an such an unsolicited request in the form of an unsolicited challenge message is sent from a first to a second computer system (Fig. 2 element 202, col. 4

lines 30-65, col. 5 lines 30-47, 50-55). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this feature of Duda into the system of Claus and England. It would have been obvious to do so since this would allow for a more flexible network authentication architecture.

As for Claim 49, Claus (fig. 6) teaches a networked environment in which two computers communicate via a public switched network and therefore the use of URL's is taught. Since the only information shared between the two computers is E_2, the key necessarily indicates a web address.

7.   Claims 40 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Claus and England as applied to Claims 39, 43, and 47 above, and further in view of Lee et al., US 5,774,544.

As for Claim 40, Lee teaches the features of the claim that the combination of Claus and England fail to teach, namely that an identifier that identifies the second computer system comprises a processor number (col. 1 lines 12-23). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Claus and England. It would have been desirable to do so since, as stated by Lee et al. in the cited passage, using serial numbers identifying microprocessors allows for better tracking of a hardware component.

As for claim 44, the claim is directed to the computer program product embodied in a memory medium that when read out, cause the first and second computer systems to carry out the method of claim 40. Therefore claim 44 is rejected on the same basis as Claim 40.

8.   Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Claus and England as applied to Claim 47 above, and further in view of Lee et al., US 5,774,544.

Lee teaches the features of the claim that the combination of Claus and England fail to teach, namely that an identifier that identifies the first computer system comprises a processor number (col. 1 lines 12-23). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Claus and England. It would have been desirable to do so since, as stated by Lee et al. in the cited passage, using serial numbers identifying microprocessors allows for better tracking of a hardware component.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

      If attempts to reach the examiner by telephone are unsuccessful, the Examiner's

supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone

number for the organization where this application or proceeding is assigned is: (571)

273-8300.

      Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

/Paul Callahan/
Examiner, Art Unit 2437
1-30-09

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2437